

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HOWARD TO,

Plaintiff,

-against-

SOHO COMPANIES LIMITED, *et al.*,

Defendants.

22-CV-11012 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated January 27, 2023, the Court denied Plaintiff leave to proceed *in forma pauperis* (IFP), and directed Plaintiff, within thirty days, to pay the \$402.00 in fees required to file a civil action in this court. That order specified that failure to comply would result in dismissal of the complaint. On February 13, 2023, the order was returned as undeliverable. Plaintiff has not paid the fees, or otherwise communicated with the Court. Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to enter judgment in this case.

SO ORDERED.

Dated: March 22, 2023  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge